

Page 1	Page 2
<p>*****</p> <p>TRANSCRIBED VIDEO RECORDING OF PRESS CONFERENCE: ATTORNEYS_SPEAK_OUT_AFTER_HERNANDO_ARREST</p> <p>*****</p> <p>DATE OF RECORDING: NOVEMBER 9, 2021 DATE TRANSCRIBED: NOVEMBER 15, 2021</p> <p>TRANSCRIBED BY: DANA GORDON, CCR #1908</p> <p>REPORTING BY DANA, LLC Post Office Box 1362 Brandon, Mississippi 39043 (601)-506-3440 DanaDMoulder@gmail.com</p>	<p>INDEX</p> <p>1 2 3 Title Page..... 1 4 Index..... 2 5 Transcribed Recording..... 3 6 Certificate of Court Reporter..... 32 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
Page 3	Page 4
<p>1 *****</p> <p>2 MR. ZUMMACH: -- firsthand knowledge</p> <p>3 -- good cops in the City of Hernando have</p> <p>4 attempted to rid of this -- rid that police</p> <p>5 department of this cancer. They've gone to</p> <p>6 the police chief. They've gone to the</p> <p>7 mayor. They've gone to the board of</p> <p>8 aldermen saying, "This is not an officer</p> <p>9 that we need out on the streets, and we</p> <p>10 surely don't need him out there with a dog</p> <p>11 and a gun."</p> <p>12 Many of these officers were punished</p> <p>13 for their complaining about this very</p> <p>14 officer. And, again, that's going to unfold</p> <p>15 over time -- both with this lawsuit and what</p> <p>16 else is coming down the pike.</p> <p>17 Good cops don't want bad cops around</p> <p>18 them because they endanger the good cops'</p> <p>19 lives, and they also endanger citizens'</p> <p>20 lives. So this is not about, there are bad</p> <p>21 cops out there or the phrase you hear about,</p> <p>22 there's, you know, one bad apple. That's</p> <p>23 not what this is about.</p> <p>24 This is also not about race. I want</p> <p>25 to make that very clear. This is not about</p>	<p>1 race. This is not about politics. What</p> <p>2 happened to Mr. Hoyle in this case -- he</p> <p>3 happens to be an African-American, but this</p> <p>4 officer did the exact same thing to another</p> <p>5 kid back in 2013. He was a white kid</p> <p>6 suspected of DUI, and the same thing</p> <p>7 happened. This does not have anything to do</p> <p>8 with race. In this community, we make</p> <p>9 everything about race and politics.</p> <p>10 This has everything to do with right</p> <p>11 and wrong, and I believe that's why we've</p> <p>12 heard a recent announcement that the FBI has</p> <p>13 launched an investigation. I know nothing</p> <p>14 about how that -- I'm saying it right here</p> <p>15 on the record. I know nothing about the FBI</p> <p>16 deciding to open up a case. I had nothing</p> <p>17 to with it. They make their decisions.</p> <p>18 They have an entire hierarchy that</p> <p>19 they have to go through to get</p> <p>20 investigations opened. They don't just open</p> <p>21 them up willy-nilly, and I don't know</p> <p>22 anything about that investigation or what's</p> <p>23 going to come from it.</p> <p>24 But I will tell you -- and I'm going</p> <p>25 to play this whole video for you, and you</p>

1 (Pages 1 to 4)

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Exhibit "A"

<p style="text-align: right;">Page 5</p> <p>1 can use of it what you want. Videos are  2 sexy because you can't deny what's here on  3 the video, but there is a companion case --  4 I call it a companion case. It was filed on  5 the same day represented by the same lawyers  6 called White versus The City of Hernando.  7 And in my personal opinion, that case  8 is much more sinister, and I know Mr. Wells  9 is going to speak further on that. There's  10 evidence missing. We have two dead kids  11 involving the same officer chasing a car  12 when he was told not to chase a car.  13 These are sexy because you have a  14 dash cam video and you can see what happens,  15 but I do not want that family -- and, again,  16 I hope Murray addresses it fully, that's out  17 there as well.  18 Now, lawyers get bad raps. We're  19 always in it for the money. I can tell you,  20 my age and how long I've been doing this,  21 I'm not in it for the money. In fact, I  22 went to the mayor of the City of Hernando  23 before this lawsuit ever got filed, and I  24 said, "You get rid of these people that did  25 this and I won't file suit."</p>	<p style="text-align: right;">Page 6</p> <p>1 I've known this one particular  2 officer now for over 25 years. This is not  3 my first time I've run across this officer.  4 And the mayor shrugged his shoulders at me  5 and that officer continued to work, so I had  6 to file this lawsuit.  7 And then what do I get? When we  8 filed this lawsuit, the lawyer they hired to  9 defend it, second line in his answer says,  10 "It's all a sham." And I would invite  11 anybody that watches this and reads the  12 police report written by this officer and  13 the one that does the punching -- read those  14 two police reports and see what is a sham.  15 There is not one fact in these two  16 complaints that are on file -- there is not  17 one fact that I put in any of those lawsuits  18 that I don't have a witness for, so it's not  19 a sham.  20 And so we're fighting with the City  21 of Hernando now. They think the case is a  22 sham and it's all about money and all that  23 business. Now, I've noticed on a few of  24 your reports, the police chief, I think,  25 confirmed for a good many of you that the</p>
<p style="text-align: right;">Page 7</p> <p>1 FBI is in town or opening an investigation.  2 That's about the only comment that was made.  3 I think it was to 24.  4 If you want a quote, I've checked  5 this out from my two sources. Within the  6 last 48 hours, the police chief told the  7 mayor and a few other people that the FBI  8 has told them, "We are reluctantly doing  9 this. We are only doing this because our  10 boss is making us."  11 In other words, they're just going to  12 slow walk and half walk through this. I  13 don't believe that. But when you have a  14 police chief telling the chief executive  15 that -- "Don't worry about this FBI  16 investigation," I think there is something  17 serious for the media to look at because,  18 frankly, it's the lawyers and the media that  19 keeps everybody honest.  20 All right? But that's a quote for  21 you. Scott Worsham told the mayor, "There's  22 nothing to this FBI investigation."  23 So I guess really we have to ask  24 ourselves, do we want kids that play on the  25 playground and help other people to become</p>	<p style="text-align: right;">Page 8</p> <p>1 cops or do we want the bullies to become the  2 cops?  3 I'm not doing this for the money. As  4 I've already said, I've told them we  5 wouldn't even file the lawsuit if they got  6 rid of these cops because they're going to  7 hurt somebody.  8 All right? Now, I'm going to go  9 through the video with you. I will stop it  10 wherever you want me to stop it, okay, and  11 answer any questions you have.  12 I will tell you that we know of at  13 least two terminations -- terminations means  14 that the supervisor on duty tells the  15 officer chasing to terminate the pursuit.  16 Every police agency in this region and  17 probably across the country -- if you're  18 told to terminate, you are to immediately  19 pull over, put it in park, call in your  20 mileage to dispatch so that they know how  21 far you continued on, okay, and wait until a  22 supervisor comes, reads the mileage on your  23 odometer.  24 That's what happens when you  25 terminate a pursuit -- if it's dangerous, if</p>

2 (Pages 5 to 8)

<p style="text-align: right;">Page 9</p> <p>1 the underlying crime is not something of a 2 serious nature, et cetera. 3 We know -- I think from one of the 4 reports that have the dispatch tapes, we 5 know that at 33 seconds prior to what I'm 6 going to call the pit maneuver, where the 7 cop cars come in contact with the suspect's 8 car, they were told to terminate. And I 9 want you to watch on this video how long 10 33 seconds is. 11 All right. So -- all right. I'm 12 going to go back to the very beginning -- 13 and believe me, I'm not going to make you 14 watch the Dukes of Hazard for seven and a half 15 minutes. 16 Okay. This is on Highway 51 facing 17 southbound at Robinson Road. Lynn Brown's 18 police report says he witnessed Mr. Hoyle 19 run a red light. I think Lynn Brown has 20 X-ray vision. 21 Notice these cars coming to a stop on 22 the cross street. There goes Mr. Hoyle. 23 Lynn Brown backs up and begins the pursuit. 24 All right. That is at 0015. This 25 goes on for another seven and a half</p>	<p style="text-align: right;">Page 10</p> <p>1 minutes. 2 Mr. Hoyle is driving irresponsibly. 3 The police officer is giving pursuit. 4 People are put in danger, et cetera. I 5 believe we've heard a report that dispatch 6 didn't even know that Mr. Brown was at work 7 that day. 8 I'm sure all of you have watched the 9 seven and a half minutes; is that correct? 10 If so, nod your head, yes. I don't want to 11 waste your time. 12 I'm going to fast forward to 7:26. 13 Why do I go to 7:26? Because if you take 14 33 seconds, which is the latest possible 15 order to terminate pursuit, you just take 16 26 from 8. Okay? 17 And I will tell you that the 18 termination order was done at Getwell and 19 Byhalia Road. That's Byhalia Road. That's 20 Getwell running north and south. My 21 calculations say this is when the call went 22 out to terminate the pursuit. 23 Now, I'm going to let the running 24 record speak. If the officer is doing what 25 they're supposed to do, you pull over right</p>
<p style="text-align: right;">Page 11</p> <p>1 there, call in your odometer. Instead, they 2 told the lieutenant to standby. 3 First impact occurs at eight even. 4 I'll also tell you, the second vehicle is 5 the one driven by Hunter Soloman. The first 6 vehicle making contact is driven by 7 Lynn Brown. 8 All right. We're at 8:07. I will 9 tell you that I watched this video probably 10 a hundred or more times, and I couldn't ever 11 tell when Mr. Brown let the dog out of his 12 car. Watch the reflection in the trunk of 13 the car and you will see Lynn Brown get out 14 of his car. 15 And look at what Mr. Hoyle is doing. 16 Now, prior to that, you can see both hands, 17 but I don't want to split hairs like lawyers 18 do. His right hand is holding the door; his 19 left hand is holding the door. So you can 20 see both hands even before this; there were 21 no weapons. 22 Read Lynn Brown's police report. He 23 says he was fearful of a weapon. 24 You see a dog yet? It's 8:15. His 25 hands have been up for approximately two</p>	<p style="text-align: right;">Page 12</p> <p>1 seconds, one and a half seconds. 2 If you look in the reflection, that's 3 Lynn Brown holding the dog, about to release 4 it. Does everybody see what I'm talking 5 about? Look at it at your station. 6 In case there is any question, 7 Soloman is not pulling that dog off the 8 suspect, he's just redirecting that dog 9 because that dog never lets go of the leg 10 until Brown takes his handcuffs and wedges 11 the dog's mouth off of his leg. That dog is 12 still on him. 13 This dog is still engaged. Now, I 14 want to stop here. It appears these two 15 officers are blocking the cam. They -- 16 they're not doing it on purpose. I happen 17 to know that because only the canine cars 18 have dash cams. But I want you to watch 19 between their legs what Soloman does to 20 Mr. Hoyle while he's handcuffed. Do you see 21 what he's doing? 22 After that they search, pat him down. 23 No weapons were found. I can leave it 24 running, whatever you want to do. You-all 25 have copies of it by now.</p>

3 (Pages 9 to 12)

<p style="text-align: right;">Page 13</p> <p>1 I want to open the floor now to  2 Mr. Wells, answer any questions you have.  3 And as I said, nothing's off the table.  4 MR. WELLS: Afternoon all.  5 It's disturbing. It's troubling.  6 But more importantly, it's kind of the start  7 of what we believe to be a bigger issue and  8 I don't know if you say coverup, but I'm  9 saying coverup.  10 This case coupled with the second  11 case that's here, Linda White, resulting in  12 the deaths of two young boys -- the  13 similarities are that they were both pulled  14 over for something minor, traffic offenses.  15 In the case -- in the White case, the  16 boys were -- had temporary tags, drive-out  17 tags and the officer found it suspicious,  18 pursuit, order to terminate. Lynn Brown  19 refuses to terminate, chases them up the  20 wrong side of I-55 and eventually, we  21 believe, nudged the car off of a bridge  22 where it landed upside down and those boys  23 lost their lives as a result of it.  24 He -- Officer Brown had no  25 information about how many people were in</p>	<p style="text-align: right;">Page 14</p> <p>1 the car, that they committed any crimes,  2 whether or not the driver of the car was  3 fleeing against the advice of the  4 passengers. We don't have any of that  5 information because our clients are dead.  6 As soon as that happened, I was  7 engaged by the families to understand what  8 happened, and so I immediately sent a letter  9 to the chief of police, to the mayor, to  10 Lynn Brown and surrounding law enforcement  11 areas that may have caught something on  12 their radio. And what I said is, "We're  13 looking at this and we want this evidence  14 preserved."  15 Specifically, we wanted the police  16 car parked because I can take experts in.  17 They can download the data off of it. We  18 can determine whether or not he bumped the  19 car, whether or not he caused the crash,  20 whether his story is consistent. They've  21 destroyed that evidence. They didn't  22 preserve anything.  23 We believe that they've destroyed  24 photographs. They've destroyed the data on  25 the car. They sold the car at an auction</p>
<p style="text-align: right;">Page 15</p> <p>1 despite -- and they could have had it back  2 in action in two days because I would've had  3 my experts down there immediately to take a  4 look at it. They've destroyed all this  5 information.  6 Again, Lynn Brown was instructed to  7 terminate the pursuit and didn't and two  8 boys lost their lives; and as I understand  9 it, took photographs on his personal phone  10 of the deceased young men and made jokes  11 about them and did make jokes about the  12 color of their skin. Other officers  13 complained. He did it in the presence of  14 others.  15 And, again, there was an instruction  16 to not file an abusive report, we believe,  17 directly from the chief of police -- would  18 not allow other officers to report bad  19 behavior of Lynn Brown because there are  20 good officers down there. And that's two  21 separate occasions where other officers have  22 wanted to report Lynn Brown for excessive  23 force and been denied by Chief Worsham.  24 So we believe the case is -- is -- is  25 evolving. And I'll make an interesting</p>	<p style="text-align: right;">Page 16</p> <p>1 point. I do a lot of civil rights  2 litigation. I have litigated police  3 departments many times. And to a T, those  4 cases -- the police department says, "Those  5 officers, if they did something wrong, were  6 not doing it in accordance with our policy."  7 In each of those cases, they say,  8 "It's a bad officer who did bad things, but  9 that's not how we do things so we're not  10 responsible for the things that this officer  11 did."  12 These two cases are very different,  13 very different. If you look at the response  14 filed by the same lawyer on behalf of the  15 police officers and behalf of the city and  16 behalf of the chief of police, they embrace  17 it. The police department officially  18 embraces the action of Lynn Brown. That's a  19 strange thing to me. I don't understand it  20 because they're saying, A, there is nothing  21 wrong. We know there is something wrong.  22 B, we're okay with it; so if the  23 officers did something wrong, they acted in  24 accordance with our policy.  25 It may make my job a lot easier, but</p>

Page 17	Page 18
<p>1 it's a more systemic troubling situation</p> <p>2 because now you wonder, right, what else has</p> <p>3 this police department condoned by this</p> <p>4 officer or Officer Soloman or other officers</p> <p>5 and refused to acknowledge it and rather</p> <p>6 embrace the bad behavior.</p> <p>7 So that's what's particularly</p> <p>8 troubling to me, especially, in light of the</p> <p>9 serious injuries to Adrian Hoyle and the</p> <p>10 loss of life to the two young men.</p> <p>11 So I'm happy to answer any questions</p> <p>12 you have.</p> <p>13 MEDIA SPEAKER: So the two lawsuits,</p> <p>14 you know, obviously different plaintiffs,</p> <p>15 different outcomes but a lot of similarities</p> <p>16 when you read them back to back.</p> <p>17 Do you think that there is going to</p> <p>18 be a few common denominators -- but I mean,</p> <p>19 is leadership a common denominator and the</p> <p>20 issues in the complaints outlined in both of</p> <p>21 these lawsuits?</p> <p>22 MR. WELLS: Absolutely. And I think</p> <p>23 there's -- there's almost implicit</p> <p>24 permission to continue the behavior because</p> <p>25 when you're on notice and you do nothing or</p>	<p>1 you refuse to even accept a complaint from</p> <p>2 another police officer, that encourages the</p> <p>3 officer to act badly because now that</p> <p>4 officer knows there is no repercussion,</p> <p>5 there is no responsibility or accountability</p> <p>6 for the bad behavior.</p> <p>7 There are very similar traits on both</p> <p>8 lawsuits. Both are completely minor</p> <p>9 incidents for which the -- there's no --</p> <p>10 there's no suspicion of a stolen vehicle in</p> <p>11 the Hoyle case. There was no suspicion of</p> <p>12 any crime at all in the White case, so</p> <p>13 there's no reason to pursue.</p> <p>14 Both vehicles flee. The lieutenant</p> <p>15 on charge in both cases ordered a</p> <p>16 termination of that pursuit. Lynn Brown</p> <p>17 ignored the termination order and continued</p> <p>18 to engage and as a result, there's death and</p> <p>19 serious bodily injury, so I do think there</p> <p>20 are a lot of similarities.</p> <p>21 We were intentional when we filed</p> <p>22 these lawsuits along the same track, along</p> <p>23 the same time because we want to cast a big</p> <p>24 spotlight on what's happening down there,</p> <p>25 how this is being allowed to happen and why</p>
Page 19	Page 20
<p>1 these officers -- particularly, Lynn Brown,</p> <p>2 still has a job.</p> <p>3 He's -- he's not on administrative</p> <p>4 leave. He is badged up. He's on desk duty,</p> <p>5 but he's still working. It's an -- an</p> <p>6 embracement of that kind of culture that is</p> <p>7 incredibly scary and should be scary to</p> <p>8 everybody and is also scary to legitimate,</p> <p>9 good, solid, honest police officers.</p> <p>10 MEDIA SPEAKER: What was Chief Scott</p> <p>11 Worsham's initial, I guess, response or</p> <p>12 reasoning for the family's initial complaint</p> <p>13 -- well, for both incidents? What was</p> <p>14 his --</p> <p>15 MR. WELLS: We received no response</p> <p>16 at all. And to be clear, I sent the letter</p> <p>17 on the White case in 2019 --</p> <p>18 MEDIA SPEAKER: 2019.</p> <p>19 MR. WELLS: -- in the summer of 2019.</p> <p>20 I think it was early -- early June of 2019,</p> <p>21 maybe July. No response, silence. No</p> <p>22 attorney reached out to me. No city</p> <p>23 official reached out to me. No law</p> <p>24 enforcement reached out to me. It was just</p> <p>25 a complete silence.</p>	<p>1 Then, again, as Mr. Zummach</p> <p>2 explained, we let them know about the Hoyle</p> <p>3 case. We said, "There is another problem.</p> <p>4 Same guy." No response again.</p> <p>5 The first response that we got from</p> <p>6 anybody official at the Hernando Police</p> <p>7 Department was that we were bad actors and</p> <p>8 that this was a bogus lawsuit and had no</p> <p>9 merit and then they put in a pleading.</p> <p>10 And I'll say that people that know</p> <p>11 me, I file pretty aggressive pleadings</p> <p>12 sometimes, and sometimes I use words that</p> <p>13 maybe I shouldn't use in a pleading because</p> <p>14 I'm inflamed or impassioned about the cause</p> <p>15 I'm fighting.</p> <p>16 I've never seen the kind of response</p> <p>17 to our lawsuit that the City of Hernando</p> <p>18 filed. It was full of accusations that --</p> <p>19 none of which were true. But the response</p> <p>20 was, "We're the city and we're going to --</p> <p>21 guess what? We're going to hit you back</p> <p>22 too."</p> <p>23 And they -- and they did it. They</p> <p>24 put in a pleading. And the language is --</p> <p>25 when you read their response and their</p>

5 (Pages 17 to 20)



<p style="text-align: right;">Page 21</p> <p>1 motion to dismiss on the Hoyle case -- just</p> <p>2 reading you go, "Why? Why is this the</p> <p>3 response?"</p> <p>4 So that was the first real response</p> <p>5 we heard was, pounds hand, "We love our</p> <p>6 officers. You guys are wrong. See you</p> <p>7 later."</p> <p>8 MEDIA SPEAKER: Can you talk about</p> <p>9 the spoilage? When did you find out that</p> <p>10 the evidence you asked to be preserved was</p> <p>11 not preserved?</p> <p>12 MR. WELLS: After the filing of the</p> <p>13 lawsuit. We -- so it's a widely used legal</p> <p>14 mechanism to send a letter to preserve</p> <p>15 evidence. And what you're doing is: You're</p> <p>16 putting the party on notice that there's</p> <p>17 litigation coming and that these are the</p> <p>18 things we're going to need to prosecute our</p> <p>19 case. And there are -- there are</p> <p>20 repercussions for destroying evidence.</p> <p>21 But nobody can deny that they got the</p> <p>22 letter because they were sent certified and</p> <p>23 I have their signatures. Everyone got the</p> <p>24 letter and through conversations with</p> <p>25 counsel when we began to ask, "Where is the</p>	<p style="text-align: right;">Page 22</p> <p>1 car?"</p> <p>2 They're like, "What do you want to</p> <p>3 see the car for?"</p> <p>4 I'm like, "Well, because it's</p> <p>5 supposed to be parked and I'm supposed to</p> <p>6 get data from it and I'm supposed to</p> <p>7 determine how fast he went on the pursuit,</p> <p>8 when the termination came, whether or not</p> <p>9 there was impact, all that information."</p> <p>10 "Well, you know, we sold the car, but</p> <p>11 we could get it for you later to look at</p> <p>12 it." Two years later, which is completely</p> <p>13 worthless to the point of preservation.</p> <p>14 And it's our understanding that,</p> <p>15 likewise, files have been destroyed or lost.</p> <p>16 I don't know if they were destroyed or not,</p> <p>17 but they're not going to be produced for us.</p> <p>18 I think it's important to note that</p> <p>19 there were no criminal charges in the White</p> <p>20 case filed against anybody. None of the</p> <p>21 four passengers of that car, the two</p> <p>22 survivors were charged with any crime.</p> <p>23 MR. ZUMMACH: To that point regarding</p> <p>24 the missing evidence, you just call down to</p> <p>25 the City of Hernando and ask the clerk there</p>
<p style="text-align: right;">Page 23</p> <p>1 when Lynn Brown's car was sold. They'll</p> <p>2 know because they don't sell cars. They</p> <p>3 sold the car that was involved in the White</p> <p>4 case that probably had physical damage to</p> <p>5 it, they sold it to the City of Senatobia</p> <p>6 Police Department without giving any notice</p> <p>7 to anyone.</p> <p>8 I would suspect it probably got</p> <p>9 repaired down in Senatobia, but what is more</p> <p>10 interesting to me, at least, is instead of</p> <p>11 calling an outside agency like MBI to come</p> <p>12 in and investigate this fatality crash,</p> <p>13 which would be customary for most agencies,</p> <p>14 they investigate it themselves.</p> <p>15 They had an investigator named Mike</p> <p>16 Hansboro. Mike Hansboro came out with a</p> <p>17 digital camera, took over a hundred and</p> <p>18 twenty some-odd photographs of the wreck</p> <p>19 scene and worked the criminal file up in</p> <p>20 case criminal charges were brought against</p> <p>21 the deceased. That file that was worked up</p> <p>22 for the district attorney's office, as well</p> <p>23 as the camera, as well as the photographs</p> <p>24 have all amazingly gone missing.</p> <p>25 Now, you tell me, where's the sham?</p>	<p style="text-align: right;">Page 24</p> <p>1 MEDIA SPEAKER: What kind of damages</p> <p>2 are you seeking?</p> <p>3 MR. WELLS: The lawsuits are for, I</p> <p>4 think, 10 and 12 million respectively. I</p> <p>5 think that's right. We want accountability.</p> <p>6 That's what we're seeking, and I know some</p> <p>7 of you have talked to Linda White, and her</p> <p>8 concern has got nothing to do with money.</p> <p>9 Obviously, we're asking for money.</p> <p>10 We obviously want to sanction this and make</p> <p>11 this so expensive for the city that they</p> <p>12 train their officers, they check their</p> <p>13 officers, they do the right things from now</p> <p>14 on because they don't want to lose their</p> <p>15 budget.</p> <p>16 Yes, so we are seeking monetary but</p> <p>17 more importantly, the mothers want this</p> <p>18 officer not to be on the streets. That's</p> <p>19 what they asked for. That's what they've</p> <p>20 said from day one, that this officer is</p> <p>21 harmful to a community. He's not</p> <p>22 protecting, he's hurting.</p> <p>23 And so the real justice may come from</p> <p>24 the department of justice with the FBI</p> <p>25 investigation, and that may be where we end</p>

6 (Pages 21 to 24)

Page 25	Page 26
<p>1 up in terms of how this ends because it's</p> <p>2 very clear to us that the City of Hernando,</p> <p>3 Scott Worsham and the Hernando Police</p> <p>4 Department are not going to take any</p> <p>5 disciplinary action against this officer,</p> <p>6 none. And so what we want is -- is a</p> <p>7 microscope, a spotlight and the ability to</p> <p>8 stop this from happening next time.</p> <p>9 MEDIA SPEAKER: Are you surprised</p> <p>10 that someone under FBI investigation is</p> <p>11 sitting on desk duty and not, like,</p> <p>12 suspended from pay, like, still in the</p> <p>13 building and working?</p> <p>14 MR. WELLS: I'm very surprised that</p> <p>15 he is on duty. I'm very surprised that he</p> <p>16 has access to witnesses and he has the</p> <p>17 ability to influence perhaps those witnesses</p> <p>18 in some kind of way, through intimidation or</p> <p>19 suggestion.</p> <p>20 Putting the defendant or the</p> <p>21 potentially accused in the same room with</p> <p>22 the people who are going to have to stand up</p> <p>23 against him at some point is awkward. It's</p> <p>24 not professional and it shouldn't happen.</p> <p>25 He should go home. If they want to pay him</p>	<p>1 to stay at home, send him home but don't let</p> <p>2 him further muddy an already completely</p> <p>3 botched investigation and further encourage</p> <p>4 the destruction of evidence and coverup.</p> <p>5 Send him home and then let's figure out what</p> <p>6 happened because, yes, I'm very surprised</p> <p>7 that he's allowed to interact with the good</p> <p>8 officers at the Hernando Police Department.</p> <p>9 MEDIA SPEAKER: You guys have alluded</p> <p>10 to that, you know, more is coming, and it</p> <p>11 sounds like more kind of show -- would it be</p> <p>12 showing proof or evidence of this kind of</p> <p>13 code of silence or these officers being shot</p> <p>14 down who did want to report excessive force?</p> <p>15 Is that what you guys are -- are</p> <p>16 anticipating?</p> <p>17 MR. ZUMMACH: Right now there is a</p> <p>18 motion to dismiss pending in federal court,</p> <p>19 so we're not allowed to take discovery.</p> <p>20 We're not allowed to ask questions. We're</p> <p>21 not able to take depositions, but we already</p> <p>22 know exactly who we're about to depose and</p> <p>23 every one of the facts that's contained in</p> <p>24 those complaints will come out.</p> <p>25 But right now there is a local</p>
Page 27	Page 28
<p>1 federal rule that says discovery cannot</p> <p>2 happen when the city says that the officers</p> <p>3 entitled -- are entitled to protection of</p> <p>4 qualified immunity. Because they filed</p> <p>5 their answer saying, "This is all a big</p> <p>6 sham, and Lynn Brown had no idea that he</p> <p>7 wasn't supposed to sick his dog on somebody</p> <p>8 and leave him on somebody for nearly a</p> <p>9 minute."</p> <p>10 That's what they said, he's entitled</p> <p>11 for qualified immunity. There's a federal</p> <p>12 local -- there's a local rule. There's also</p> <p>13 a federal rule of procedure that says you</p> <p>14 can't take discovery until the judge rules</p> <p>15 on that.</p> <p>16 Now, if the judge rules on that and</p> <p>17 says, "No, we're not going to give -- the</p> <p>18 judge is not going to give the officers</p> <p>19 qualified immunity," then we get to start</p> <p>20 taking depositions and then I can assure you</p> <p>21 that every fact in those lawsuits will be</p> <p>22 borne out under oath.</p> <p>23 MR. WELLS: And the phone is ringing</p> <p>24 with other people who have been attacked by</p> <p>25 Lynn Brown's dog. We are receiving calls</p>	<p>1 from citizens who say, "Hey. This happened</p> <p>2 to me as well."</p> <p>3 He's got a well documented court</p> <p>4 history of malicious intent with his dog.</p> <p>5 At his previous job, he got sued. It went</p> <p>6 to the court of appeals. There's a</p> <p>7 published opinion, Cooper versus Brown, that</p> <p>8 talks about Lynn Brown -- that talks about</p> <p>9 the nasty nature of his use of a dog in a</p> <p>10 sadistic fashion.</p> <p>11 So it shouldn't be a surprise to</p> <p>12 anybody that he has that, and we do think</p> <p>13 that there will be more history with respect</p> <p>14 to Lynn Brown and his use of dogs that we</p> <p>15 think is going to come to light that is</p> <p>16 going to be very telling for the (inaudible)</p> <p>17 and for the Court.</p> <p>18 MR. ZUMMACH: (Inaudible) use of a</p> <p>19 dog, officers will tell you, that they make</p> <p>20 felony arrests every day just like this.</p> <p>21 And what you do -- what the officer does is</p> <p>22 -- especially with other armed officers out</p> <p>23 there with their weapons at the ready, you</p> <p>24 have the person get out of the car with</p> <p>25 their hands up. You've all seen it. You</p>

7 (Pages 25 to 28)

<p style="text-align: right;">Page 29</p> <p>1 make them walk back towards you, get on 2 their knees, you handcuff them. 3 Felony arrests are made every day. 4 This guy uses a dog and 1200 pounds per 5 square inch to go get the guy first, latch 6 onto him, and then I'll go put my handcuffs 7 on him when I get around to it. That's what 8 happened. That's what happened here. 9 That's what happened in the Cooper case. 10 And every cop will tell you, a dog is 11 a weapon. It is no different than a TASER. 12 It is no different than a gun. You don't 13 get -- you don't just pull a gun out and 14 shoot somebody when they get out of the car. 15 They're felons -- they're felony suspects 16 but you don't shoot them; you don't tase 17 them and you don't send the dog unless 18 they're refusing to surrender or they're 19 running. And as you can see, he was 20 surrendered and he wasn't going anywhere. 21 Read Lynn Brown's report. He says, 22 "The hands were up but I thought he might 23 have a weapon -- he might be hiding a 24 weapon." 25 Every canine expert in the world will</p>	<p style="text-align: right;">Page 30</p> <p>1 tell you, that was the worst and meanest 2 thing they could do to that dog. That's 3 right, the dog. You know why? Because if 4 you thought for one second that that suspect 5 had a gun, you just sent your dog in there 6 and he's about to get killed. 7 There is, like, not one justifiable 8 thing about this dog attack. 9 MEDIA SPEAKER: And both those 10 lawsuits have that current stay on them, and 11 so is that basically where this case 12 basically stands -- 13 MR. WELLS: Procedurally -- 14 MEDIA SPEAKER: -- right now, waiting 15 for that judge's -- okay. 16 MR. WELLS: That's correct. We're 17 waiting for the judge to lift the stay. We 18 expect it to be lifted. We -- if there are 19 facts -- unless they just admit everything, 20 there are facts in dispute. 21 As soon as the judge says there are 22 facts in dispute -- which we believe he 23 will. We are optimistic he will -- then 24 Katy bar the door because we're going to 25 come. We're going to come fast, and we're</p>
<p style="text-align: right;">Page 31</p> <p>1 going to start to get answers to what 2 happened. 3 MEDIA SPEAKER: When do you guys 4 estimate that the judge will (inaudible.) 5 MR. WELLS: There is no -- no 6 touching what a judge does. I never know. 7 I've had cases that it happened immediately. 8 I've had cases that take -- take months and 9 months and months for the judge to do a 10 ruling. I don't look into their minds. 11 They have educated clerks. They're 12 smart people. There's a reason they're up 13 there. We trust them to do the right thing 14 and we just sit and wait for that to happen. 15 All right. Well, thank you, guys, 16 for your time. 17 (Inaudible crosstalk.) 18 (End of video recording.) 19 * * * * * 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 32</p> <p>1 CERTIFICATE OF COURT REPORTER 2 3 I, Dana Gordon, Court Reporter and 4 Notary Public in and for the County of Rankin, 5 State of Mississippi, hereby certify that the 6 foregoing pages contain a true and correct 7 transcription of the testimony that was later 8 reduced to typewritten form by means of 9 computer-aided transcription to the best of my 10 skill and ability. 11 I further certify that I am not in the 12 employ of or related to any counsel or party in 13 this matter and have no interest, monetary or 14 otherwise, in the final outcome of this matter. 15 Witness my signature and seal this the 16 16TH day of NOVEMBER, 2021. 17 18 <u>DANA GORDON, CCR #1908</u> 19 20 My Commission Expires: June 12, 2024 21 22 23 24 25</p>

8 (Pages 29 to 32)



1 CERTIFICATE OF COURT REPORTER

2

3 I, Dana Gordon, Court Reporter and

4 Notary Public in and for the County of Rankin,

5 State of Mississippi, hereby certify that the

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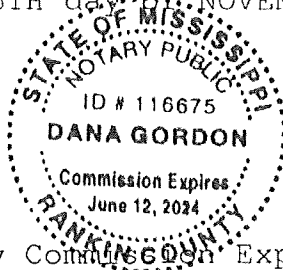
12 employ of or related to any counsel or party in

13 this matter and have no interest, monetary or

14 otherwise, in the final outcome of this matter.

15 Witness my signature and seal this the

16 16TH day of NOVEMBER, 2021.



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*Dana Gordon*  
DANA GORDON, CCR #1908

My Commission Expires: June 12, 2024